

**Resolution and Action on Agenda Items
Idaho Fish and Game Commission Meeting
Apr. 24, 2003**

Red Lion Motel, Lewiston, ID

Commissioners Hadley, Irby, Watts, Wood, Gibbs, Burns

Items in these notes may be in different order than the agenda.

1. Opening comments, Chairman Irby.
2. Agenda changes
3. Review of public comment. Huffaker says he visited with the shooting preserve proponent, Sonny Harriston, and demonstrated that statutes do not allow the commission to make the proposed changes in marking game farm birds and establishing a new preserve near Heyburn State Park without legislation. Watts suggests that Harriston should work with other preserve owners and legislators to explore different methods of marking birds, noting that this is a completely separate issue from the new reserve proposal.
4. Director's report, Steve Huffaker. Discussion of potential effects of West Nile Virus and of a lawsuit in Portland regarding salmon and dams.
5. Commission reports. Watts reports on the meeting with the public for strategic planning in the Southwest Region; also explains the proposal to drain Lake Cascade and kill the predator fish, then reestablish the perch and trout fishery. Wood reports a dry winter and wet April. Greenup deer counts north of the Snake River are down and may require a cutback in permit levels in some hunts. Gibbs reports greenup counts are done but not the analysis. Comments on drought impacts to fish stocking programs. Burns notes concern of people in his region because there is no salmon season in Salmon. Also asks to add to the agenda a discussion of the program for selling leftover moose tags.
6. Consent calendar, including approval of minutes of March 12-14, March 24 and April 3 meetings.

Action: Wood moves, Hadley seconds to approve. Unanimous.

7. Financial report, Jeff Seward. Discussion of the impact on Access Yes of legislation designed to take \$1 million from the secondary depredation account, money that was put in from the state general fund to generate interest when the account was established. Removal would limit the amount
8. Nonresident deer and elk tag sales compared to 2002, Jeff Seward. Sales of regular and Clearwater deer are 575 below last year, Southeast deer 370 below last year, and elk tags are 997 below last year. If the trend holds, income could be three-quarters of a million dollars by the end of the year. It is unclear if the cause is a permanent trend, an effect of the war in Iraq, or something else, but in the holdback in expenditures stays in place we should be on track at the end of the fiscal year and not in need of an increase until 2007. Huffaker's theory is that people are more cautious about making early expenditures. Burns points out that quality of game, size of animal, is also a factor, in Idaho and other states.
9. The Commission approved a similar refund or rain check rule for resident and nonresident military license buyers who have been called to active duty due to an

armed conflict. This temporary rule will allow those who had no opportunity to participate in hunting or fishing activities due to the deployment or assignments to receive a refund of license and tag fees or to receive a rain check for a license and tags in the 2004 season.

Action: Moved by Gibbs, second by Wood to approve as proposed. Passes unanimously.

10. Legislative Update, Steve Huffaker.

- 11a. Access Yes presentation, Brad Compton. During their March meeting, the Commission authorized funding to immediately implement *Access Yes*. The program requires that each region establish a Sportsmen Review Committee to evaluate and recommend which landowner bid proposals the Department should accept. Each Committee will be comprised of 5 local sportsmen with diverse interests including: big game, upland game, waterfowl, fishing, and furbearers. This year the Committees will meet in early June to evaluate and recommend bid proposals. Beginning in 2004, the Committees will meet each February at a minimum. Initially, each member will serve a 1-year term. Future appointments or reappointments will be made for staggered 2 to 3 year terms. All appointments serve at the discretion of the Director. The Commission retains authority to approve or disapprove all future nominations or reappointments.

11b. Approval of Sportsman Review Committee nominations, Jim Unsworth. Nominees in the Panhandle included Lars Eldness of St. Maries, Ned McCalmant of Coeur d'Alene, Bill Miles of Rathdrum, Ben Sheppard of Coeur d'Alene and Al Phillips of Sandpoint. Clearwater region nominees include Ted Zmack, John Peacock and Mandy Miles, all of Lewiston, Tom Parce of Moscow and Jerry Cebula of Lenore. Nominees in the Southwest Region included Steve Goddard of Mountain Home, Michael Flanagan of Boise, and Chick Middleton, Jonathan Mathews and Milt Coffman, no address reported. Magic Valley nominees include Rich Gouley of Bellevue, Rod Runyon of Burley, John Frank of Glenns Ferry, Mike McIntosh of Hagerman and Tom Ruby of Filer. Nominees in the Southeast Region include Sheldon Alver of Soda Springs, Dennis Caywood of Montpelier, Delane Kritsky of Chubbuck and Randy Budge and Dave Whitworth of Pocatello. In the Upper Snake Region, nominees include Mike Carlson of St. Anthony, and Matthew Woodward, Gene Clements, Mark Buttars and Noel Julian, all of Idaho Falls. Nominees in the Salmon Region include Dave Ellis and Bob Nall of Carmen and Richard R. Smith, Zane Abbot and Richard Wenger, all of Salmon.

Action: Wood moves, Burns seconds to approve nominees. Unanimous.

11. Preference Points Presentation, Tom Keegan. A variety of drawing systems have been used to allocate controlled hunt or limited entry permits throughout the west. States have adopted differing systems to address low-drawing odds and/or public demand. These systems include: random draw, preference points, bonus points, single-species applications, higher application fees, waiting periods and others. Idaho currently uses a combination of random draw, single-species and higher application fee for trophy species, and waiting periods for both trophy species and antlered-only deer and elk hunts. A current update of drawing systems around the west will be provided with examples of how various systems affect drawing odds. Basics of permit allocation are that if application and permits remain stable, you will have the same number of successful and unsuccessful; to increase one person's odds, you have to decrease someone else's. Odds of draw in Idaho are 21 percent for moose, 18.5 for elk, 16.3 for deer, 11.8 for antelope,

10.1 for goat, six percent for sheep and 12 percent for resident sheep. Limiting nonresident applications for sheep doubled chances for residents. The previous odds were on antlered-only hunts and no unlimited hunts were included. Most western states use or have had in the recent past a random drawing system and also have some species which are once-in-a-lifetime. Most have or have had a wait time to draw again. Four of 11 use bonus points or have recently, six of 11 use preference point or have recently. Four states have recently dropped preference point systems and two have dropped bonus point systems, but there are also states new to the ranks of point systems. One, Montana, has a system where you pay extra on your application to buy a point. Random draws provide an equal chance for everyone in the pool of applicants and discriminate against none. Some people are lucky and get drawn more often than statistical probability, while others draw less. This is a major source of criticism. In preference point system you get one point for each year they apply and are not drawn. It gives advantage to applicants who have waited longest. Most will eventually get drawn. First time applicant has no chance of being drawn. Maintenance of records of applicants and points increases costs. In a bonus point system, you also get one point for each year you don't draw, and this point is used to get you one more chance in the drawing. It still takes a long time to draw in most cases. Most point systems limit the number of years you can skip and still stay in, in other words, you have to apply in the same hunt every year in most cases. In point systems you begin to have more chances in a low or moderate demand hunt in about the fourth year but the odds for those who have applied for less than four years are diminished, usually to a point lower than in a random draw. In high demand hunts preference odds get really good after about eight years of applying, but those who have applied less than that have very little chance. Bonus point applicants are slower to pick up good odds. Commissioner Wood comments that a preference point system is the most discriminatory against new applicants, i.e. young hunters, and that it really doesn't do much for the applicant except to address a social need. In Oregon there are 410,000 permits and it took a full-time employee just to keep track of the data. Commissioners in general want to research types of systems and costs. Huffaker asks the commission to identify the problem they would be trying to solve with such a system. Unsworth points out that Idaho already has the best drawing odds of any western state, but could increase them by a third by making applicants pay upfront for application and tag, limit it to one species, and having a three-year wait for successful hunters.

12. Shooter bulls and hunting - Canned hunts, Steve Huffaker.

Background: Idaho is seeing a proliferation of "canned hunts" or "shooter bull" operations. This is a result of significant softening in other markets for farmed elk, and that trend is expected to continue. As other states limit this type of activity, we can expect Idaho to become a refuge for operations of this nature.

Since Idaho statutes place captive elk under the authority of the Department of Agriculture based on these animals being maintained and used as "alternative livestock", the concept of hunting them appears to a segment of the public to conflict with that original intent which focused primarily on production of meat, antlers and brood stock. The activity of hunting these animals and the related issues of individuals possessing and transporting hunter-killed carcasses are clearly issues the public expects the Fish and Game Commission and Department to oversee. Questions arise as to the need for regulation of these activities and conditions under which elk are hunted.

Policy issues: The creation of “shooter bull” operations violates the principle of fair chase, serves as a barrier to the migration of wild game animals, has the potential to enclose wild ungulates, increases the risk of communicable disease, and erodes legitimate wildlife management and the sport of big game hunting.

The following states have banned canned hunts:

California, Delaware, Georgia, Massachusetts, Minnesota, Montana, Nevada, New Jersey, North Carolina, Oregon, Virginia, Washington, Wisconsin, Wyoming

Public Involvement Process:

In at least one recent case, a County Board of Commissioners scheduled a public hearing regarding a proposed land use permit to allow construction of a fence around 5500 acres for the hunting of captive elk and bison. This type of public involvement focuses additional questions on the appropriate authorities and policies to regulate and guide the activities associated with "canned hunts". The Commission needs to consider the policy implications of this type of public involvement and the Department's role when the public asks us to provide comments and recommendations regarding these proposals.

Justification: Increasing numbers of sportsmen are asking where we stand on the issue.

Action Requested: The staff believes the Commission should establish a clear policy position regarding “canned hunts” for big game.

Staff Recommendations: Staff recommends that the Commission develop a policy that they do not support game farming or ranching for the purpose of shooting domestic livestock inside high fences. The Commission should, to the extent possible, prohibit the hunting of wildlife inside any game ranch or other area fenced in a manner to enclose privately owned animals of species generally found in a wild state.

In Idaho, there are shooter bull operations in regions 3, 4, 5, 6 and 7. They are billed as “trophy bull hunts with guaranteed success.” They average about 300 acres but Siddoway’s proposed operation is 15,000. Biological issues include risk of disease including CWD,

TB and meningeal worm; genetic interchange with wild populations and exclusion of wild animals from important habitats. Social issues include perception of the erosion of hunting ethics, private “ownership” of wildlife, “hunting” of native wildlife in enclosures, sale of game meat and private property rights. The public wants to know where the commission and department stands on the issue. Burns suggests that FG policy should be support of state law. Gibbs doesn’t think the commission has the authority to say they don’t support shooter bull operations with peoples’ private livestock on private property, but has every right to comment on the fate of wildlife that gets inside these operations. Wood says Agriculture should write the analysis for planning and zoning commissions, not FG. With regard to the wildlife that gets inside, or is outside, FG should have a position on this and staff should prepare draft for the July meeting. Hadley agrees with Wood and suggests FG have a dialogue with Agriculture. Watts notes

there may be national legislation and FG should be prepared to respond, supports Burns' ideas on policy.

Action: Watts moves, Hadley seconds that the commission direct the staff to develop a proposed rule to prohibit the hunting of wild big game animals inside any domestic cervid facility or other area fenced in a manner to enclose privately owned animals generally found in a wild state. Discussion about how one tells domestic from wild (ear tag or other brand) and who is responsible for wildlife that gets inside the fence. Burkhalter notes that Dept. of Ag. Has rules requiring the developer to ensure there is no wildlife and that there be an inspection by Ag and FG to make sure prior to release of domestic cervids. If wildlife is found, FG recommends to Ag that no domestics be released. Passes unanimously.

14. Paperless reporting on mandatory harvest report, Brad Compton.

Background:

Since 1998, Idaho has used a mandatory harvest report (MHR) to generate estimates of harvest for deer and elk and beginning in 2000, required it for antelope hunters. The MHR provides precise estimates of effort and harvest by unit. Changes to the report card last year have reduced the number of errors and improved the level of information obtained. However, numerous errors such as incomplete information and/or wrong units of effort/harvest still remain. Additionally, many complaints surface each year from sportsmen who reportedly sent in their report only to have a reminder letter sent to them. The state of Washington recently adopted a paperless harvest reporting system that potentially addresses some of the remaining MHR issues, including data quality and "lost" paper reports. A review of the Washington system will be presented with potential applicability to Idaho. They think it costs them about \$1 per report compared with Idaho's at 89 cents. They use internet and an IVR phone system, new technology "interactive voice response" (?) About 70 percent of hunters use paper, while almost every home has a phone and more than half has a computer and 27 percent had internet access. (1998 figures) Consider a terminal in every office where hunters could report and have access to other department information. On phones, operators would be more expensive than an IVR system.

15. Review of FG public input process, Al Van Vooren. Recounts the various teams on input that have been formed over ten years and university and other independent studies, the public input policy approved by the commission in 2001. The policy in an improvement in that now we send a letter to all who commented on a proposal so they will know why a decision was made even if it was counter to an individual's opinion. Discussion of determining goals so that strategies for achieving them can be explored. How do you weigh the input of random surveys against the guy who drives 200 miles to testify at a hearing? Al asks for discussion or direction on dealing with public input. Watts noted that public meeting input is often scant (i.e., only 40 people ain Region 3 on big game regs at open houses), and he would like to see F&G use random sample surveys in addition to input from public meetings.

16. Review of draft white sturgeon management plan, Tim Cochnaeur.
Relicensing of Snake River dams above Lewiston offered an opportunity for Idaho Power to write a conservation plan for sturgeon in the Snake River and

FG is concurrently writing a management plan. Sturgeon have historically occurred in the Snake River from Lewiston upstream to Shoshone Falls. There are now eight hydroelectric dams which have fragmented that stretch into nine segments, each with varying quality and quantity of habitat. The most viable subpopulations are from C.J. Strike Dam upstream to Bliss Dam and below Hells Canyon Dam. There are about 50 fish per river mile in the Bliss reach and about half that in the Hells Canyon reach. Factors limiting population growth are mostly water quality and quantity. The goal for the reach from Shoshone Falls to upper Salmon Falls Dam is 50 fish per kilometer. There are only six family groups, which makes lack of genetic diversity a concern. From upper to lower Salmon Falls dams no sturgeon have been found and it is a very short stretch so it will go on back burner for now. From Lower Salmon Falls to Bliss Dam there are about 50 fish in 14 miles, could be supplemented from other areas. From Bliss Dam to Strike Dam (the only stretch meeting the goal in the draft management plan) there are about 50 fish per mile, water quantity is an issue, as is emigration. Legal system will be used to address upstream water quality. From Strike to Swan Falls dam goal is 1280 fish, there are about half that many now, mostly from upstream, issues are water quality, lack of spawning habitat. From Swan falls down to Brownlee, 230 miles with a goal of about 6,000 fish, now there are 155, most within the first ten miles below Swan Falls. Issues are extremely poor water quality and few fish. Brownlee to Oxbow and Oxbow to Hells Canyon, 37 miles, maybe 50 fish, only three miles of flowing river, water quality issues. Hells Canyon Dam to Lower Granite Dam. 140 miles, goal is 7,000 sturgeon and have about half that now. Water quality issues below Hells canyon, maybe impacts of sport fishing and tribal harvest. FG receives commission direction to continue developing the management plan, working with Idaho Power and getting into the public input process.

17. Spring Chinook salmon season and run update, Sharon Kiefer. The current forecast for Lower Granite Dam is 61,000 of which 39,900 should be hatchery. The average 1991-2000 was 13,700. Estimates based on PIT tags are that there will be a surplus of 2,400 at Dworshak National Fish Hatchery and 11,080 at Rapid River Hatchery. The prediction for Kooskia National Fish Hatchery is 957 adults and the broodstock needs are 600 adults, leaving 300 surplus to split between sport and tribal fisheries. Fisheries Bureau presents a season proposal for the Clearwater River from the Kamiah Bridge to a posted boundary on the Middle Fork Clearwater approximately one-fourth mile upstream from Clear Creek. Limits would be two per day, six in possession and 10 for the season statewide. The season would run April 26 through July 6 or until further notice. Methods of take would be the same as on the Clearwater and its North Fork.

Action: Watts moves, Burns seconds to approve the season as proposed. Unanimous.

- 17b. Proposed increase in steelhead season in the Little Salmon River. Season would normally close April 30, bureau proposes to extend it to May 18. Other rules would remain the same.

Action: Wood moves, Watts seconds to approve the extension. Unanimous.

18. Lake Cascade proposal, Dale Allen. Report on the perch season at Cascade and economic importance of more than \$6 million. Fishery crashed in mid-nineties, probably due to a variety of causes, and a large population of predatory northern pikeminnow and suckers is preventing recovery. Proposal is to drain the reservoir and possibly poison any remaining fish. Lowest point would be Nov. 1 in the year of the project, maybe 2004 or 2005. Trout would be stocked the next year and a trophy fishery would develop in a couple years because of how fast fish grow in a renovated reservoir. Perch would also be stocked, followed by bass, coho and maybe other species. Perch fishery would be established in four to six years and would hold out an expected 15-20 years before it would be necessary to treat it again. Issues are irrigation, sediment, recreation, bald eagles, nutrient cycling. Bureau of Reclamation runs the reservoir and will have to have a formal EIS process prior to making a decision. Response from state and federal agencies has been positive. Civic group response in Cascade has been positive. Public input 240 people have commented in Boise, McCall and Cascade. Most input has been positive.
19. **Action: Gibbs moves, Hadley seconds to go to executive session at 4:24. Back in session 4:54.**
20. **Action: Hadley moves Wood seconds to approve the Nampa and Idaho Falls building leases from the Idaho Fish and Wildlife Foundation. Unanimous.**
21. Conference call to set sandhill crane seasons set for 11:00 a.m. May 12
Adjourned.